



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Summary CITY COUNCIL

R. Steve Tumlin, Mayor
Stuart Fleming, Ward 1
Grif Chalfant, Ward 2
Johnny Walker, Ward 3
G. A. (Andy) Morris, Ward 4
Anthony Coleman, Ward 5
Michelle Cooper Kelly, Ward 6
Philip M. Goldstein, Ward 7

Wednesday, October 8, 2014

7:00 PM

Council Chamber

20141072

Park Street Elementary School Poster Contest Winners

Kim Holland and Karmen Scarbro, BLW Water Department, present awards to the Park Street Elementary School poster contest winners for their entries in the Public Power & Clean Water Poster Contest. The poster contest theme was “Why is Water / Electricity Important to Me?”

Why Water is Important to Me

Grand Prize- Takara Scurry, 5th grade
1st Place - Hamzah Hilali, 4th grade
2nd Place - Nathaly Santos, 3rd grade
3rd Place - Angel Matias, 3rd grade

Why Electricity is Important to Me

Grand Prize- Jaleel Smith, 3rd grade
1st Place - Myles Cook, 3rd grade
2nd Place - Valeria Virgen, 4th grade
3rd Place - Trinity Williams, 3rd grade

Presented

20140607**Marietta Citizens' Police Academy**

Graduates from the Marietta Citizens' Police Academy are

Carlile Sallie
Clemmons Norris
Embler Ines
Guthrie Gary
Hamilton Robert
Hamilton Noreen
Jester Victor
Jester Pat
Langston John
Loeffel Nancy
McCoy Sam
Miller Jim
Onyewuchi Susan
Rainey Carrie
Rozman Christine
Shurtz Ashley
Williams Tracy
Zajicek Robert

Presented**20141111**

Presentation to Miriam Corbin, Employment Manager and John Helton, CobbWorks Inc. for their hard work and dedication on the Annual Marietta/Cobb Career Expo.

Presented

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20141084**Regular Meeting - September 10, 2014**

Review and approval of the September 10, 2014 regular meeting minutes.

Approved and Finalized**20141110****Marietta Historic Board of Review Mayor's Appointment**

Appointment of Mr. Chris Brown to the Marietta Historic Board of Review as the Mayor's Appointment, for a two (2) year term.

Made

- * **20141081** **Marietta Museum of History Re-appointments**
- Motion to approve a recommendation by the Museum of History Board to reappoint Guy H. Northcutt Jr., and Danna Kaye to the Board of Directors for a term of 3-years expiring October 31, 2017.
- Approved and Finalized**
- * **20141082** **Marietta Museum of History Appointment**
- Motion to approve a recommendation by the Museum of History Board to appoint Beth Briscoe Graham to the Board of Directors for a term of 3-years expiring October 31, 2017.
- Approved and Finalized**
- 20140960** **Z2014-19 Roger Davis, Red Hare Brewery 994 and 1010 Roswell Street**
- Z2014-19 [SPECIAL LAND USE PERMIT] ROGER DAVIS, RED HARE BREWERY, request a Special Land Use Permit, with variances, in order to construct a brewery containing over 15,000 square feet of production space for property located in Land Lot 12370, District 16, Parcels 0170 and 0330, 2nd Section, Marietta, Cobb County, Georgia and being known as 994 and 1010 Roswell Street, currently zoned CRC (Community Retail Commercial). Ward 7A.
- Approved as Amended**
- 20141029** **Z2014-20 City of Marietta Coggins Place Right-of-Way**
- Z2014-20 [REZONING] CITY OF MARIETTA request rezoning for property located in Land Lot 12370, District 16, 2nd Section, Marietta, Cobb County, Georgia and being known as Coggins Place right-of-way from unzoned to CRC [Community Retail Commercial]. Ward 7A.
- Approved and Finalized**
- * **20141064** **Denial of Claim**
- Denial of the claim of Bob Binkley
- Approved and Finalized**
- * **20141038** **CDBG Money to Marietta YELLS**
- Approval of a Resolution reallocating \$100,465 in unspent FFY'2011 and FFY'2012 funds from Marietta Parks and Recreation to Marietta YELLS for building renovation.
- Approved and Finalized**

* **20140984** **MPD Edward Byrne Memorial Justice Assistance Grant**

Approval of an Ordinance amending the Fiscal Year 2015 Grant Fund budget to receive and appropriate a grant from the Department of Justice through the Edward Byrne Memorial grant program for \$41,233 to purchase police equipment.

Approved and Finalized

* **20141028** **MPD Sungard Public Sector Award**

Approval of an Ordinance amending the Fiscal Year 2015 General Fund budget to receive and appropriate an award of \$2,000 from SunGard Public Sector for being a competition winner to purchase computer technology equipment for the MPD Cyber Unit.

Approved and Finalized

* **20140715** **Amendments to the zoning ordinance regarding parking in planned developments.**

Motion to authorize advertising proposed changes to the Zoning Ordinance regarding parking in planned development districts, specifically including the following: Section 708.09, PRD (SF), Planned Residential Development (single family); Section 708.14, PRD (MF), Planned Residential Development (multi-family); Section 708.20 MXD, Mixed Use Development; and Section 716.07, Parking spaces required - Table J.

Approved for Advertisement

* **20140959** **Fifa's on the Municipal court cases**

Motion to authorize the city attorney to move forward for a plan to recoup costs for liens over \$10,000.

Motion to refer this matter to the Judicial/Legislative Committee.

Approved as Amended

* **20141049** **Lower Roswell Road Island Annexation II**

Motion to advertise the annexation of the north-central portion of the Lower Roswell Road Island properties including the adjacent right-of-way as identified in the attached map (Exhibit A) and identified in the parcel address list in the attached table (Exhibit B) into the City of Marietta.

Approved for Advertisement

- * **20140917** **CA2014-08 Proposal to amend the Comprehensive Development Code - Section 712.07**
- CA2014-08 [CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta, Section 712.07, Telecommunication Towers and Infrastructure.
- Approved and Finalized**
- 20141017** **Amendments to the zoning ordinance regarding platting procedures.**
- Motion to authorize advertising proposed changes to the Zoning Ordinance regarding platting procedures, specifically in Section 728.04, Preliminary plat application procedures, and Section 728.07, Final plat application procedures.
- Approved for Advertisement**
- * **20141046** **City Club, Marietta Operating Agreement**
- Motion approving an Independent Contractor Agreement with Classic Golf Management, Inc., for the day-to-day operations of the City Club Marietta effective October 8, 2014.
- Approved and Finalized**
- * **20141048** **Recreation Building at Custer Park**
- Motion to authorize an additional appropriation of 2009 Parks Bond monies to the "Custer Recreation Building" of \$1,186,656 with a total expenditure on the project not to exceed \$3,786,656.
- Approved and Finalized**
- * **20140962** **Line Worker Career Development Plan**
- Motion to approve changes to the Board of Lights and Water Line Worker Career Development Plan.
- Approved and Finalized**
- * **20141052** **Resolution Amending the Flexible Benefit Plan**
- Resolution amending the Flexible Benefit Plan to change vision coverage to a supplemental benefit, removing it from group medical insurance coverage and to set the medical reimbursement amount to match the maximum amount as defined by the federal government.
- Approved and Finalized**

- * **20141039** **Amendment to the City of Marietta/BLW Personnel Rules and Regulation**
- Approval of an Ordinance amending the Personnel Rules and Regulations contained in Section 4-12-2-40 of the Code of Ordinances.
- Approved and Finalized**
- 20141093** **Coggins Place Right of Way**
- Consideration of a motion authorizing the abandonment of a portion of Coggins Place right of way.
- PUBLIC HEARING
- Approved and Finalized**
- * **20141036** **Twin Brooks Drive Speed Feedback Sign**
- Motion to approve the installation of a driver speed feedback sign on Twin Brooks Drive.
- Approved and Finalized**
- * **20141060** **No parking along Frasier Street**
- Motion to approve prohibiting on-street parking along Frasier Street from Lakewood Drive to South Ave.
- Approved and Finalized**
- * **20140589** **Parking**
- Motion authorizing installation of no parking zones along the following streets:
Waterman Street between Atlanta Street and Alexander Street.
Waddell Street between Waterman Street and Wayland Street.
Wayland Street from end to end.
- Approved and Finalized**
- * **20141026** **Request for speed feedback signs**
- Motion authorizing the installation of two (2) driver speed feedback signs near Marietta Middle School.
- Approved and Finalized**

* **20141055 Speed Limit on Maple Avenue**

Motion to reduce speed limit on Maple Ave from 30 mph to 25 mph.

Approved and Finalized

* **20141041 Speed Table on Reynolds Street**

Motion authorizing the installation of one speed table and crosswalk on Reynolds Street at Henry Drive.

Public Hearing held at September 10, 2014 Council Meeting under item number 20140934

Approved and Finalized

* **20141002 Parking at Root House**

Motion authorizing 4 parking spaces fronting the Root House to be designated as "Root House Parking Only"

Approved and Finalized

20140805 V2014-31 Clear Channel Outdoor, Inc. 1200 Roswell Road

V2014-31 [VARIANCE] CLEAR CHANNEL OUTDOOR, INC. request variances for property located in Land Lot 12390, District 16, Parcel 0130, 2nd Section, Marietta, Cobb County, Georgia and being known as 1200 Roswell Road, currently zoned CRC (Community Retail Commercial).

1. Variance to reduce the minimum lot size from 20,000 sq. ft. to 4,054 sq. ft. [§704.04; §708.16 (H.); §714.04 (G.)(1.); §714.04 (G.)(8.)]

2. Variance to reduce the front, side, and rear setbacks. [§708.16 (H.); §714.04 (G.)(1.); §714.04 (G.)(8.)]

3. Variance to allow a billboard to be located within 1,000 feet of another billboard. [§714.04 (G.)(5.)]

4. Variance to allow a billboard to be located closer to a permanent structure than a distance that is equal to or greater than the height of the sign. [§714.04 (G.)(10.)]

5. Variance to eliminate the requirement that a billboard must be regulated as a principal use and be required to meet all dimensional standards of the applicable zoning district (CRC). [§704.04; §708.16 (H.); §714.04 (G.)(1.); §714.04 (G.)(8.)]
Ward 7A.

This item was tabled at the September 10, 2014 City Council Meeting.

Tabled

20140948**V2014-38 CBS Outdoor, LLC 121 Frey's Gin Road**

V2014-38 [VARIANCE] CBS OUTDOOR, LLC request variances for property located in Land Lot 12390, District 16, Parcel 0160, 2nd Section, Marietta, Cobb County, Georgia and being known as 121 Frey's Gin Road, currently zoned CRC (Community Retail Commercial). Ward 7A.

1. Variance to reduce the front setback for a billboard support structure from 35' to 32.';
2. Variance to reduce the rear setback for a billboard support structure from 35' to 23.';
3. Variance to reduce the front setback for billboard sign faces to 6.' §708.16 (H.);
4. Variance to reduce the rear setback for billboard sign faces to 1.';
5. Variance to locate a billboard within 1,000' of other billboards;
6. Variance to locate a billboard within 500' of a church.

Approved and Finalized

20140949**2014-39 CBS Outdoor, LLC 100 Chert Road**

V2014-39 [VARIANCE] CBS OUTDOOR, LLC request variances for property located in Land Lot 12100, District 16, Parcel 0320, 2nd Section, Marietta, Cobb County, Georgia and being known as 100 Chert Road, currently zoned CRC (Community Retail Commercial). Ward 7A.

1. Variance to reduce the front setback for a billboard support structure from 35' to 20.';
2. Variance to reduce the rear setback for a billboard support structure from 35' to 21.';
3. Variance to reduce the front setback for billboard sign faces to 0.';
4. Variance to reduce the rear setback for billboard sign faces to 0.';
5. Variance to locate a billboard within 1,000' of other billboards.
6. Variance to locate a billboard on a substandard lot;
7. Variance to locate a billboard within 500' of a residential zoning district.

Motion to approve the following requested variances for property located at 100 Chert Road, currently zoned CRC (Community Retail Commercial):

1. *Variance to reduce the front setback for a billboard support structure from 35' to 20.';*
2. *Variance to reduce the rear setback for a billboard support structure from 35' to 21.';*
3. *Variance to reduce the front setback for billboard sign faces to 0.';*
4. *Variance to reduce the rear setback for billboard sign faces to 0.';*
5. *Variance to locate a billboard within 1,000' of other billboards.*
6. *Variance to locate a billboard on a substandard lot;*
7. *Variance to locate a billboard within 500' of a residential zoning district.*
8. *Stipulation that applicant agrees to combine parcel 55 and parcel 56.*

Approved as Amended

20140950**V2014-40 CBS Outdoor, LLC 1200 Gresham Road**

V2014-40 [VARIANCE] CBS OUTDOOR, LLC request variances for property located in Land Lot 11660, District 16, Parcel 0070, 2nd Section, Marietta, Cobb County, Georgia and being known as 1200 Gresham Road, currently zoned CRC (Community Retail Commercial). Ward 7.

1. Variance to reduce the rear setback for a billboard support structure from 35' to 22.';
2. Variance to reduce the rear setback for billboard sign faces to 19.';
3. Variance to reduce the side setback for billboard sign faces to 0.';
4. Variance to locate a billboard within 1,000' of other billboards;
5. Variance to locate a billboard on a substandard lot;
6. Variance to reduce the minimum lot width from 100' to 72.';
7. Variance to locate a billboard within 500' of a residential zoning district.

Tabled

20140951

V2014-41 Clear Channel Outdoor, Inc. 1318 Kasandra Drive

V2014-41 [VARIANCE] CLEAR CHANNEL OUTDOOR, INC. request variances for property located in Land Lot 12820, District 16, Parcel 0730, 2nd Section, Marietta, Cobb County, Georgia and being known as 1318 Kasandra Drive, currently zoned CRC (Community Retail Commercial). Ward 7A.

1. Variance to reduce the rear setback for a billboard support structure from 35' to 23.' §708.16 (H.); §714.04 (G)(1.); §714.04 (G)(8.)
2. Variance to reduce the rear setback for billboard sign faces to 0.' §708.16 (H.); §714.04 (G)(1.); §714.04 (G)(8.)
3. Variance to reduce the southern side setback for billboard sign faces to 0.' §708.16 (H.); §714.04 (G)(1.); §714.04 (G)(8.)
4. Variance to reduce the 40' buffer to 31.' §708.16 (I.)
5. Variance to locate a billboard within 1,000' of other billboards. §714.04 (G)(5.)
6. Variance to locate a billboard on a substandard lot. §708.16 (H.); §714.04 (G)(1.); §714.04 (G)(5.); §704.04
7. Variance to locate a billboard within 500' of a residential zoning district. §714.04 (G)(2.)
8. Variance to locate a billboard closer to a permanent structure than a distance that is equal to or greater than the height of the sign. §714.04 (G)(10.)

Motion to approve the following requested variance for property located at 1318 Kasandra Drive, currently zoned CRC (Community Retail Commercial):

1. *Variance to reduce the rear setback for a billboard support structure from 35' to 23.' §708.16 (H.); §714.04 (G)(1.); §714.04 (G)(8.)*
2. *Variance to reduce the rear setback for billboard sign faces to 0.' §708.16 (H.); §714.04 (G)(1.); §714.04 (G)(8.)*
3. *Variance to reduce the southern side setback for billboard sign faces to 0.' §708.16 (H.); §714.04 (G)(1.); §714.04 (G)(8.)*
4. *Variance to reduce the 40' buffer to 31.' §708.16 (I.)*
5. *Variance to locate a billboard within 1,000' of other billboards. §714.04 (G)(5.)*
6. *Variance to locate a billboard on a substandard lot. §708.16 (H.); §714.04 (G)(1.); §714.04 (G)(5.); §704.04*
7. *Variance to locate a billboard within 500' of a residential zoning district. §714.04 (G)(2.)*
8. *Variance to locate a billboard closer to a permanent structure than a distance that is equal to or greater than the height of the sign. §714.04 (G)(10.)*
9. *All variances are for the current structure only, with no changes except for the removal of the 30 inch catwalk and replacing it with a 20 inch catwalk.*

Approved as Amended

20140952**V2014-42 Clear Channel Outdoor 646 Webb Industrial Drive**

V2014-42 [VARIANCE] CLEAR CHANNEL OUTDOOR request variances for property located in Land Lot 09980, District 16, Parcel 0130, 2nd Section, Marietta, Cobb County, Georgia and being known as 646 Webb Industrial Drive, currently zoned HI (Heavy Industrial). Ward 5B.

1. Variance to reduce the side setbacks for a billboard support structure from 20' to 10.';
2. Variance to reduce the rear setback for a billboard support structure from 40' to 25.';
3. Variance to reduce the rear and side setbacks for billboard sign faces to 0.';
4. Variance to locate a billboard within 1,000' of other billboards.;
5. Variance to locate a billboard on a substandard lot;
6. Variance to reduce the minimum lot width from 150' to 21.';
7. Variance to locate a billboard closer to a permanent structure than a distance that is equal to or greater than the height of the sign.

Motion to approve the following variance for property located at 646 Webb Industrial Drive, currently zoned HI (Heavy Industrial):

1. *Variance to allow the removal of the catwalk only.* ' §714.06 (C.3)

Approved as Amended

20140953**V2014-43 Clear Channel Outdoor, Inc. 611 Webb Industrial Drive**

V2014-43 [VARIANCE] CLEAR CHANNEL OUTDOOR, INC. request variances for property located in Land Lot 09980, District 16, Parcel 0120, 2nd Section, Marietta, Cobb County, Georgia and being known as 611 Webb Industrial Drive, currently zoned HI (Heavy Industrial). Ward 5B.

1. Variance to reduce the side setbacks for a billboard support structure from 20' to 11.';
2. Variance to reduce the rear setback for a billboard support structure from 40' to 23.';
3. Variance to reduce the rear and side setbacks for billboard sign faces to 0.';
4. Variance to locate a billboard within 1,000' of other billboards.;
5. Variance to locate a billboard on a substandard lot;
6. Variance to reduce the minimum lot width from 150' to 21.';
7. Variance to locate a billboard closer to a permanent structure than a distance that is equal to or greater than the height of the sign.

Tabled

* **20140968 V2014-46 Racetrac Petroleum 2484 Delk Road, 2466 Delk Road, and 2400 Delk Road**

V2014-46 [VARIANCE] RACETRAC PETROLEUM request variances for property located in Land Lot 07990, District 17, Parcels 0380, 0050, and 0090, 2nd Section, Marietta, Cobb County, Georgia and being known as 2484 Delk Road, 2466 Delk Road, 2400 Delk Road, currently zoned CRC (Community Retail Commercial). Ward 7A.

1. Variance to allow for an existing nonconforming use (pylon) sign to remain after upgrades to the property are made.

Tabled

20141105 National League of Cities (NLC) Annual Meeting

Motion to appoint Philip M. Goldstein as the voting delegate and Anthony Coleman as the alternate voting delegate for the National League of Cities (NLC) Annual Business Meeting that will be held during the Congress of Cities in Austin, Texas, November 22, 2014.

Motion to appoint Philip M. Goldstein as the voting delegate for the National League of Cities (NLC) Annual Business Meeting that will be held during the Congress of Cities in Austin, Texas, November 22, 2014.

Approved as Amended

* **20141106 Modify “No Parking” Zone**

Motion to remove the no parking zone along the east side of Wilson Drive.

Approved and Finalized

* **20141085 BLW Actions of the October 6, 2014**

Review and approval of the October 6, 2014 actions and minutes of the Marietta Board of Lights and Water.

Approved and Finalized

* **20141112 860 Franklin Road**

Motion authorizing acquisition of a portion of property and easements at 860 Franklin Road from Castlebrook Owner, LLC for the purpose of constructing the Franklin Road Improvements Project - From Twin Brooks to Las Colinas Apartments in exchange for \$46,000.00 and the special stipulations:

1. City to provide a right in/right out driveway access to the property along Franklin Road near the western boundary of the Parcel, as shown on Exhibit C.
2. City to install a wrought iron like fence on Gravity Wall No. I and extend it to the new driveway referred to in Provision #1.
3. Property Owner may erect a monument sign in conformance with the latest City of Marietta Codes and Ordinances within the Permanent Easement Area at Owner's sole cost and expense. The location of the sign within the Permanent Easement is subject to the Public Works Director's approval.

Approved and Finalized